

**BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

In the Matter of Application of)
Image Access, Inc., d/b/a NewPhone) Docket No. _____
For Approval of Proposed Service Discontinuance)

APPLICATION

Image Access, Inc. d/b/a NewPhone ("NewPhone" or the "Company"), by counsel and pursuant to § 58-9-300 of the *South Carolina Code of Laws*, hereby respectfully requests that the South Carolina Public Service Commission ("Commission") approve the Company's proposed discontinuance of services as described herein. NewPhone proposes to discontinue the provision of resold prepaid local exchange and interexchange services to residential customers within the State of South Carolina. Concisely, in response to changing market conditions, NewPhone has determined that it is not economically feasible at the present time to continue to offer its current service packages. For this reason, the Company has decided to discontinue all of its currently provided services. The proposed discontinuance will not result in harm to the affected customers because equivalent service offerings are available from other carriers, including the underlying carrier whose services NewPhone resells.

In connection with this filing, NewPhone submits the following information:

I. Description of Discontinuance

The Company:

Image Access, Inc. d/b/a NewPhone
5555 Hilton Avenue, Suite 415
Baton Rouge, LA 70808
Phone: 225-214-4414
Fax: 225-214-4111

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PSC SC
MAIL / DMS

NewPhone provides intrastate services in South Carolina pursuant to authority granted by the Commission.¹ As explained below, the Company does not wish to surrender its authorization at this time.

Date of Proposed Discontinuance

NewPhone's customers purchase prepaid service on a monthly basis. Customer "renewal" dates occur throughout each month, based upon when individual customers started service. The Company plans to discontinue the provision of services on a schedule synchronized to each customer's renewal date. NewPhone believes that this approach will create the least disruption for its customers. Subject to receipt of necessary federal and state regulatory authorizations, the proposed disconnections are scheduled to take place starting on June 19, 2012 and ending on July 18, 2012. By July 18, 2012, all affected services will have been disconnected. *Notwithstanding the staggered discontinuance dates, all customers will receive at least 60 days' advance notice of the discontinuance.*

Services to be Discontinued & Affected Customers in South Carolina

NewPhone provides, on a resale basis, prepaid flat-rated local exchange and interexchange services to residential customers. At this time, NewPhone serves approximately 392 customers in South Carolina.

Date and Method of Customer Notice

On April 16th and 17th, 2012, NewPhone sent written notice to its customers by first-class mail, informing them that the Company will cease providing prepaid residential local exchange and long distance services and identifying each customer's specific discontinuance date. The notice clearly underscored that customers must make arrangements with another

¹ See Docket Nos. 1999-269-C (Order No. 1999-762, issued October 26, 1999) and 2004-205-C (Order No. 2004-564, issued November 12, 2004).

carrier to avoid loss of service and provided a toll-free telephone number that customers may call to reach NewPhone service representatives for assistance with this transition. A sample copy of this notice, which also complies with the requirements of the Federal Communications Commission ("FCC"), is appended as Exhibit A.²

II. Contacts for this Application

Questions and correspondence regarding this Application should be addressed to:

John J. Pringle, Jr. (SC Bar No. 11208)
ELLIS, LAWHORNE & SIMS, PA
P.O. Box 2285
Columbia, South Carolina 29202
Telephone: (803) 343-1270
Facsimile: (803) 799-8479
jpringle@ellislawhorne.com

with copies to:

Jim Dry
President
Image Access, Inc., d/b/a NewPhone
5555 Hilton Ave., Suite 415
Baton Rouge, LA 70808
Telephone: (225) 214-4414
Facsimile: (225) 214-4111

III. Circumstances of Discontinuance

As discussed above, NewPhone has determined that market conditions make its current prepaid service offerings economically unfeasible. Consequently, the Company proposes to discontinue these service offerings at this time. Following implementation of this decision, NewPhone will undertake a strategic re-assessment of the intrastate and national communications markets and determine in what manner the Company can most effectively compete in other service categories. Because the Company anticipates that it may again provide

² NewPhone is filing a Section 63.71 application with the FCC for approval to discontinue domestic interstate services. A copy of that filing will be served on the Commission. The Company does not provide international services.

regulated intrastate services in South Carolina in the future, NewPhone does not wish to surrender its telecommunications authorization at this time.

IV. Public Interest Considerations

Commission approval of this plan will serve the public interest. The services offered by NewPhone are available from other providers in the South Carolina market. Consequently, NewPhone's customers will not be unduly harmed as they will be able to transition to new providers. Consistent with South Carolina and FCC requirements, NewPhone's customers have been given sufficient advance notice of the need to select a new provider such that they will be able to do so in a thoughtful and informed manner. Company representatives will be available at least through July 18, 2012 to assist customers with this process.

V. Summary

Subject to required regulatory approvals, NewPhone expects to implement the proposed discontinuance beginning on June 19, 2012 and ending on July 18, 2012. The Company respectfully requests that the Commission grant this application for approval to proceed with the proposed discontinuance of service.

Respectfully submitted this 19th day of April, 2012.

s/ John J. Pringle, Jr.
John J. Pringle, Jr. (SC Bar No. 11208)
ELLIS, LAWHORNE & SIMS, PA
P.O. Box 2285
Columbia, South Carolina 29202
Telephone: (803) 343-1270
Facsimile: (803) 799-8479
jpringle@ellislawhorne.com

COUNSEL FOR IMAGE ACCESS, INC.
D/B/A NEWPHONE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served by electronic mail service on the following this 19th day of April, 2012:

C. Lessie Hammonds, Esquire
S.C. Office of Regulatory Staff
PO Box 11263
Columbia SC 29211
lhammon@regstaff.sc.gov

s / Carol Roof
Carol Roof



April 16, 2012

[Customer Name]
[Address Line 1]
[City, State, Zip]
[Telephone Number]

**Notice of Discontinuance of Your Telephone Service
by Image Access, Inc. d/b/a NewPhone ("NewPhone")**

Dear NewPhone Customer:

Image Access, Inc. d/b/a NewPhone ("NewPhone") regrets to inform you that it is preparing to cease providing prepaid local and long distance service to all of its customers throughout its service areas.¹ **In order to avoid a disruption in telephone service, you must make arrangements for service with a new telephone company before your cut-off date (listed below).** The names and telephone numbers of local telephone service companies, which also typically provide long distance service, are listed in your telephone directory. Customer service representatives at these companies will help you to select services to most effectively replace your current NewPhone service. If you arrange for new service before your NewPhone service is terminated and wish to keep your current telephone number(s), please be sure to address this with your new service provider.

To ease this process for our customers, NewPhone is scheduling the discontinuance of your service to occur at the end of a billing cycle. **Subject to regulatory approval, your service cut-off date is [Cut-Off Date]. If you do not arrange to have your telephone service provided by a new telephone company prior to [Cut-Off Date], you may lose telephone service (which means that you will be unable to make local calls including 911) and you may not be able to keep your current telephone number(s) with the new service provider.** Effective with this notice, NewPhone will no longer make any changes to or reconnect existing service and will not accept orders for new service.

¹ NewPhone provides prepaid local and long distance service to residential customers in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

The Federal Communications Commission requires us to provide you with the following notice in connection with its review of the proposed discontinuance:

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Image Access, Inc. d/b/a NewPhone. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We thank you for being a NewPhone customer and wish you well with your new provider. Should you have any questions, please contact NewPhone at 800-444-4080.

Sincerely,

Image Access, Inc. d/b/a NewPhone
5555 Hilton Avenue, Suite 415
Baton Rouge, LA 70808

Message for Mississippi Customers: NewPhone does not collect deposits from its customers; however, pursuant to Mississippi law, we are required to advise you that any deposits held by the Company will be applied to your final bill. If the amount of a deposit exceeds the final bill amount, refunds will be issued within forty-five (45) days of the final bill date.